

# Pend Oreille Watershed, WRIA 62

This focus sheet provides information on the availability of water for new uses in the Pend Oreille Watershed. This information provides a starting point for potential water users in determining the best strategies for securing water for a future project or proposal in this area.

The Pend Oreille Watershed located in northeastern Washington includes a portion of the Pend Oreille River and its numerous tributary creeks and streams, lying between the Canadian Border and the Idaho Border. The Pend Oreille River and its many tributaries originate in the mountains of Idaho, Montana and Canada. The annual precipitation in the Pend Oreille Watershed ranges from 26 inches per year in the Town of Newport to 55 plus inches in the higher elevation mountainous area. Only a fraction of this precipitation becomes groundwater available for human and economic uses. Most of the precipitation arrives during the winter months, when water demands are the lowest. During the summer, the snowpack is gone, there is little rain, and naturally, low stream flows are dependent on groundwater inflow. This means that groundwater and surface water are least available when water demands are the highest.

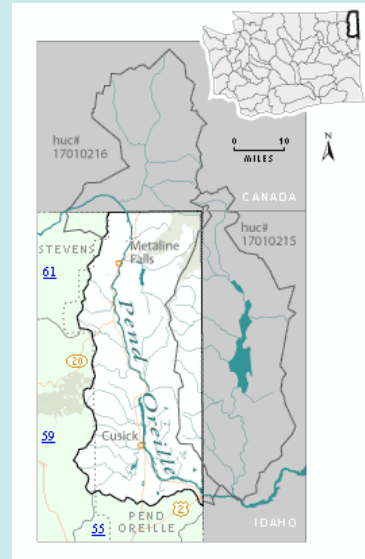
Much of the water in the Pend Oreille Watershed has already been spoken for. Increased demands from population growth, declining groundwater levels, and impacts from climate change are adding to the challenge of finding new water supplies in WRIA 62, especially during the summer months.

The Department of Ecology has put together this document to describe factors that affect water availability in your watershed, and to tell you about some options you may have to get the water you need.

## Factors affecting water availability

In 2004, the U.S. Bureau of Reclamation filed notice with the Department of Ecology that the United States intends to make examinations and surveys for the utilization of the unappropriated waters of the Columbia River and its tributaries above Priest Rapids Dam.

### MORE INFORMATION



### Definitions

**Adjudication:** A legal process conducted through a superior court to determine the extent and validity of existing water rights.

### Surface water source

**limitation:** A recommendation from the Department of Fish and Wildlife that flows be protected to maintain fish populations. See [RCW 77.57.020](#)

**WRIA:** Water Resources Inventory Area; also known as a watershed or river basin. For environmental administration and planning purposes, Washington is divided up into 62 major watersheds, or WRIs. WRIs were defined by [Chapter 173-500 WAC](#) in 1976.

All new applications for surface water and groundwater connected to surface water, within WRIAs 58, 60, 61 and 62 are limited to a total of 38 cubic feet per second and 27,740 acre-feet per year. The withdrawal may be extended, and Ecology expects BOR to request an extension before the withdrawal expires.

The Kalispel Indian Reservation lands are located within WRIA 62. The Tribes are concerned about maintaining flows and fish habitat in the watershed and water right applications and mitigation plans are routinely sent to them for their review. Federally Reserved Rights are not quantified at this time and thus the legal availability of water in these areas is undetermined.

### **Adjudications**

Little Calispel Creek, Renshaw Creek and Marshall Creek & Lake are adjudications that have been completed within WRIA 62. In general, most of the water in these adjudicated basins has been allocated and new appropriations are not available.

### **Groundwater**

In general, availability and yield of groundwater from bedrock in this WRIA is very limited by climate and geology.

### **Surface Water**

The WRIA 62 Planning Unit agreed to consider establishing stream flow requirements in sub-basins that are restricted or closed to new uses, or are expected to experience the greatest population growth. The planning unit has initiated flow studies on the South Fork of Kalispell and Indian Creek.

The Pend Oreille watershed has administrative restrictions known as Surface Water Source Limitations (SWSLs), which limit most water sources in the watershed. Groundwater connected to the surface sources are also subject to SWSL restrictions. Often these restrictions will require that new water uses stop during low flow periods. These restrictions indicate that most water has been appropriated within tributaries to the mainstem of the Pend Oreille River. In addition, Davis Creek, portions of Bracket Creek, portions of East Fork of Small Creek, Harvey Creek, Indian Creek, Maitlen Creek and Skookum Creek are “closed” by SWSL, meaning the water body is closed to new uses.

### **Water supply available for further appropriation:**

The Pend Oreille watershed is not closed to new water uses (appropriations). However, the majority of water in the tributaries has been appropriated and new uses are subject to the above listed restrictions. The Pend Oreille River mainstem is generally open for new appropriations and low flow limitations are used on irrigation requests.

In some tributary situations, surface water applications for single in-house domestic use or stockwatering may be approved if no alternate source of water supply is available and the proposed use will not impair existing water rights.

Sullivan Lake Water Supply Project is an impoundment/reservoir of the Pend Oreille watershed. The Office of Columbia River is currently pursuing development of water supplies on Sullivan Lake to benefit instream and out of stream uses through storage, conservation, and regional water management agreements.

The Office of Columbia River (OCR) is aggressively pursuing water supply development opportunities throughout the Columbia Basin. You can find additional information at the OCR Web site at: [www.ecy.wa.gov/programs/wr/cwp/crwmp.html](http://www.ecy.wa.gov/programs/wr/cwp/crwmp.html).

The groundwater permit exemption allows certain users of small quantities of ground water (most commonly, single residential well owners) to construct wells and develop their water supplies without obtaining a water right permit from Ecology. For more information about the groundwater permit exemption, refer to [www.ecy.wa.gov/pubs/fwr92104.pdf](http://www.ecy.wa.gov/pubs/fwr92104.pdf).

The permit exemption may not be available to prospective water users in certain areas that have been closed to further appropriation because there is limited or no water available. Check with Ecology staff at the regional office for more information.

Additional options for more expedited processing of new or change applications include:

- Connecting to an established water supplier. This is the fastest and simplest option.
- Proposing mitigation to offset the impacts to surface water and groundwater.
- Processing your application through the Cost Reimbursement Program. Refer to [www.ecy.wa.gov/pubs/0511016.pdf](http://www.ecy.wa.gov/pubs/0511016.pdf).

For more information on these and other options, refer to “Alternatives for Water Right Application Processing” [www.ecy.wa.gov/pubs/1111067.pdf](http://www.ecy.wa.gov/pubs/1111067.pdf).

## **Pending water right applications in this watershed**

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” Applications for water from the same source must be processed in the order they are received.

Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal.

- Apply for a New Water Right  
<http://www.ecy.wa.gov/programs/wr/rights/newrights.html>
- Apply to Change or Transfer a Water Right or Claim  
[http://www.ecy.wa.gov/programs/wr/rights/change\\_transfer\\_use.html](http://www.ecy.wa.gov/programs/wr/rights/change_transfer_use.html)

The map in this document shows some of the factors that will be considered when evaluating water right permit applications. Here are some information sources to assist you with your research:

- Locate and research water rights on land parcels anywhere in the state (Water Resource Explorer)  
<http://www.ecy.wa.gov/programs/wr/info/webmap.html>
- Pending Water Right Applications by County  
<http://www.ecy.wa.gov/programs/wr/rights/tracking-apps.html>
- Subscribe to a water right application RSS feed for a county or WRIA  
[http://www.ecy.wa.gov/programs/wr/rights/wr\\_app\\_rss.html](http://www.ecy.wa.gov/programs/wr/rights/wr_app_rss.html)
- WRIA map showing the total number of water right claims, certificates, permits and applications  
<http://www.ecy.wa.gov/programs/wr/rights/Images/pdf/waterright-wria-maps.pdf>
- Search and view well reports using a variety of search tools  
<https://fortress.wa.gov/ecy/waterresources/map/WCLSWebMap/default.aspx>

### **For more information**

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Water Resources Program  
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Spokane, WA 99205-1295  
509-329-3400

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Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341*



